

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
EDYNE LAPORTE, RN	:	
License # 26NR12211100	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Edyne Laporte ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been a licensee at all relevant times.

2. On or about October 11, 2006, Respondent was charged in the Criminal Court of the City of New York with having committed the crime of Grand Larceny in the Third Degree. It was alleged that from December 2003 to June 2005, Respondent worked for a home care provider and that she knowingly submitted and caused others to submit to Medicaid numerous claims for reimbursement which falsely represented that Respondent had personally provided nursing services to Medicaid recipients when Respondent knew that she had not done so. On or about December

12, 2006, Respondent pled guilty and was convicted of the reduced charge of Attempted Grand Larceny, a misdemeanor in New York.

3. Respondent failed to self-report to the New Jersey Board of Nursing her conviction of a crime relating adversely to the practice of nursing.

4. On or about May 30, 2007, Respondent completed her biennial license renewal application. The renewal application contains a question which asks "Since your last renewal [on or about May 31, 2005] have you been arrested, charged or convicted of any crime or offense that you have not already reported to your board/committee?" Respondent answered "no" to that question and certified that answer to be true by submitting the online application.

5. In 2008, the New York Office of Professional Discipline attempted to bring a disciplinary proceeding against Respondent based upon her conviction, but did not have a valid address for Respondent and was unable to effectuate service upon Respondent.

6. In August 2009, Respondent agreed to a Consent Order in New York, based upon a finding of professional misconduct relating to her conviction, and imposing a two year suspension with three months active and twenty-one months stayed, two years

of probation, and a \$7500 fine. The effective date of the Order was November 25, 2009.

7. Respondent failed to self-report to the New Jersey Board of Nursing that she had been the subject of a disciplinary action by another Board.

8. On or about May 6, 2011, Respondent completed her biennial license renewal application. The renewal application contains a question which asks "Since your last renewal [on or about May 31, 2009] has any action been taken ... against your professional license ... by any other licensing authority that you have not already reported to your board ...?" Respondent answered "no" on the renewal and certified that answer to be true by submitting the online application.

CONCLUSIONS OF LAW

The Board finds that Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b) by certifying on her 2007 New Jersey license renewal application that she had not been arrested or convicted since her last renewal when, in fact, she had been.

Similarly, the Board finds that Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b) by certifying on her 2011 New Jersey license renewal application that no action

had been taken by another authority when, in fact, the New York Board of Nursing had taken action against her license during the relevant time period.

Additionally, pursuant to N.J.A.C. 13:37-5.9, a licensee shall immediately notify the Board if he or she is convicted of a crime involving moral turpitude or a crime adversely relating to nursing. Respondent failed to self-report that she had been convicted of attempted grand larceny in relation to submissions of Medicaid claims for reimbursement of services which falsely represented that Respondent had provided nursing services when she had not done so.

Similarly, pursuant to N.J.A.C. 13:37-5.9, a licensee shall immediately notify the Board if he or she is the subject of any disciplinary action by any state board. Respondent failed to self-report the New York board action to the New Jersey Board. Accordingly, the Board finds Respondent has failed to comply with a regulation administered by the Board, and is thus also subject to discipline within the intendment of N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a five hundred dollar (\$500) civil penalty was entered on July 17, 2014 and a copy was forwarded to Respondent's last known address by means of both regular and certified mail. The Provisional Order was subject

to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail was returned as unclaimed, the regular mail was not returned. Because the Order was forwarded to Respondent's address of record, the Board deems service to have been effected. Respondent failed to reply to the Provisional Order. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final. Respondent cannot evade discipline by failing to respond.

ACCORDINGLY, IT IS on this 6th day of October, 2014,

ORDERED that:

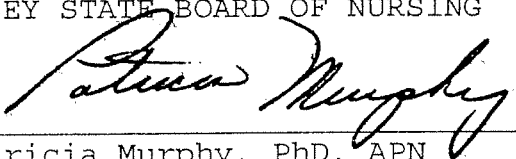
1. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon Respondent. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010,

Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. The Board reserves the right to initiate further disciplinary action based upon the underlying action taken by the State of New York.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President